

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	Case No.: 4:18CR00975 CDP/JMB
v.)	
)	
DUSTIN BOONE,)	
CHRISTOPHER MYERS,)	
RANDY HAYES, and)	
BAILEY COLLETTA,)	
)	
Defendants.)	

**DEFENDANT BAILEY COLLETTA’S MOTION TO REVIEW *IN CAMERA* THE
AUDIO RECORDING AND/OR TRANSCRIPT OF THE SEPTEMBER 6, 2019
SIDEBAR CONFERENCE**

COMES NOW Defendant Bailey Colletta, by and through her attorneys of record, and for her Motion to Review In Camera the Audio Recording and/or Transcript of the September 6, 2019 sidebar conference, states the following:

1. On September 6, 2019, Defendant Colletta entered a plea of guilty to a Superseding Information. [Doc. #111 and 112].
2. Sentencing in this matter has been set by the Court for Thursday, April 8, 2021 at 3:00 p.m. [Doc. #223].
3. At the September 6, 2019 hearing, wherein Defendant Colletta entered a guilty plea, the customary sidebar was held amongst the attorneys for Defendant Colletta and the attorneys for the Government outside of the hearing of the public to discuss the plea agreement and the Government’s recommendations.

4. Given the passage of time and the fact that the attorneys then representing the Government are no longer representing the Government, Defendant Colletta requests permission for her attorneys to conduct an *in camera* review of the audio recording and/or transcript, whichever is preferable to the Court, of the aforementioned sidebar conference in order to refresh their recollection as to the Government's recommendations.

5. The Government has indicated that it does not have any objection to Defendant Colletta's request.

6. It was mutually agreed by the relevant parties that this request would not be made prior to the conclusion of the trial of the remaining co-defendants; consequently, given that that this matter is set for sentencing as to Defendant Colletta on April 8, 2021, time is of the essence. It is requested that Defendant Colletta, by and through her attorneys, review the audio recording and/or transcript of the September 6, 2019 sidebar conference *prior* to the April 8, 2021 sentencing hearing.

WHEREFORE, Defendant Colletta respectfully requests this Court grant her request to review *in camera* the audio recording and/or transcript of the September 6, 2019 sidebar conference in advance of the April 8, 2021 sentencing hearing, and for any other relief this Court deems just.

Respectfully submitted,

KILO, FLYNN, BILLINGSLEY,
TRAME & BROWN, P.C.

By: /s/ JOHN A. KILO

JOHN A. KILO, #21674MO
Attorneys for Defendant Colletta
5840 Oakland Avenue
St. Louis, Missouri 63110
(314) 647-8910
(314) 647-3134 (Fax)
jkilo@kiloflynn.com

CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of March, 2021, a copy of the foregoing Motion of Defendant Bailey Colletta to Continue Sentencing Date was filed electronically with the Clerk of the Court in the United States District Court, Eastern District of Missouri, Eastern Division and to be served by the operation of the Court's electronic filing system upon all attorneys of record.

/s/JOHN A. KILO